

SENATOR WITHEM: That's my understanding. Senator Hannibal, I don't know if you would agree with that assessment or not.

SPEAKER BARRETT: Senator Hannibal.

SENATOR HANNIBAL: Yes, Senator Haberman, as with all bills, after...we only appropriate now for a biennium, two years, and nobody can delegate the responsi...we can't put responsibility on future legislatures so every two years we come up and rebuild an entire budget. This, once it becomes part of the Department of Education's budget, it will come to us in the form of a continuation budget. We then would have the ability to eliminate this program from our budgetary process, leave it in the program or expand it. If we eliminate the funding, however, and not eliminate the mandate that is caused by the substantive part of the legislation, then you're saying to the Department of Education you still will do this program, however, we're going to give you no funds to do it. But that, certainly, is a prerogative of the Legislature.

SENATOR WITHEM: ...Senator Moore, do you have a question? I yield additional amount of my time to Senator Moore for purposes of a question or comment.

SENATOR MOORE: Yes, Senator Withem, I really...it's not my choice to get into this debate here but I am wondering how do you get around Rule 5, Section 6(f) if you don't have an A bill with this bill, in your opinion? I would like to hear your explanation on how you do that.

SENATOR WITHEM: You know, I guess, again, Senator Moore, that I will indicate that this is not an abnormal procedure. There have been a number of bills passed since I have come to the body in which the appropriation is contained within the substantive language of the bill as opposed to a separate and distinct A bill. I'm not familiar with the exact wording of the rule that you quoted so I can't comment but I am familiar with...you know, the only bill where we had a problem with that was the Commonwealth bill and in the Commonwealth bill it wasn't because it was in the appropriations...or the substantive language of the bill, it was the fact that the language as hereby appropriated did not include...did not stay in the bill any place.